

REMARKS

Claims 2-5 are presently in this application. Claim 2 has been further amended to more clearly describe the invention.

Applicant wishes to thank the examiner for pointing out the inconsistency in claim 5. claim 5 has be amended as suggested by the Examiner to obviate the Examiner's objection to this claim.

Claims 2-5 stand rejected by the Examiner as being obvious over Wright (U.S. 5,094,375)in view of Johnson (U.S. 3,134,499). These rejections are respectfully traversed for the reasons set forth below. Nevertheless, claim 2 has been further amended to more clearly set forth one of the important features of the present invention—that is the incremental adjustability provided by the present invention with the increments being set by the longitudinal distance (separation) between adjacent transverse ribs which are features if both the “first tray unit” and the “second tray unit” set forth in claim 2.

Some of the trays described by the the Wright patent have transverse ribs but there is no suggestion in right as to modifications of these trays to provide incremental adjustability or any adjustability whatsoever. The Johnson reference, on the other hand, while showing o trays of adjustable length provides no means whatsoever for limiting its adjustability to increments of fixed length. Thus neither of the references suggest the function of incremental adjustability which is a significant limitation of Claim 2, nor does either reference provide a motivation for the provision of incremental adjustability for a pickup truck mountable storage container. Claim 2 is therefore believed to be in allowable form.

Claim 3 adds the additional limitation of “a plurality of means for attaching the inside wall of said storage tray to a sidewall of said pickup truck”. Under 35 USC 112(6) the

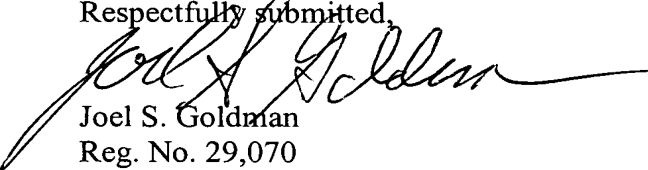
"means for" are limited to the means to perform the function described in the specification (e.g. the brackets 20 in Fig. 1) of the application or their equivalents. Neither of the cited references describes nor suggests the use of functional equivalents of these brackets 20 to connect an incrementally adjustable storage tray to the sidewall of a pickup truck. Thus claim 3 adds further novelty to the apparatus described in claim 2.

The remainder of the claims are also allowable over Wright and Johnson as, *inter alia* , being dependant, directly or indirectly, from an allowable claim.

In view of the above, the application is now believed to be in condition for allowance and passage of the application to issue including new claims 2-5 is therefore respectfully requested.

A check in the amount of \$ 230.00 is enclosed for an extension of time to submit this Amendment to Nov. 7, 2007. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 501982.

Respectfully submitted,

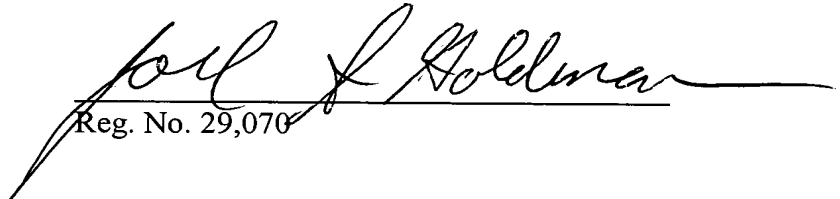


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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as U.S. Express Mail in an envelope addressed to the Commissioner for Patents, ~~Mail Stop RCE~~, Post Office Box 1450, Alexandria, Virginia 22313-1450.


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Date: Nov. 5, 2007